



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,069	07/17/2003	Takuya Ono	FUJI:263	1833
7590 09/12/2005				
ROSSI & ASSOCIATES		EXAMINER		
P.O. BOX 826		BADII, BEHRANG		
ASHBURN, VA 20146-0826		ART UNIT PAPER NUMBER		
		3621		

DATE MAILED: 09/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/622,069	ONO ET AL.	
	Examiner	Art Unit	
	Behrang Badii	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/16/05</u>   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Arguments***

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

**DETAILED ACTION**

Claims 1-12 have been examined.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360, and further in view of Mikawa, U.S. patent application publication 2002/0097645 and Yamakoshi et al., U.S. patent 5,600,501.

As per claim 1, Xuan et al. disclose a magnetic recording medium comprising (abstract; fig's. 1-7):

a magnetic disk with embedded data patterns (col.2; 1-19; fig's. 1-7). Xuan et al. does not disclose contents management information or permanent data pattern on the disk. Yamakoshi et al. discloses a permanent data pattern on the disk (claim 1). Mikawa discloses contents management information (paragraph 93; fig's. 1-7). It would have been obvious to modify Xuan et al. to include contents management information such as that taught by Mikawa in order for the recorded information to include contents management information, which can be copy management

Art Unit: 3621

information for managing copying of contents on different tracks, such that the pertinent data is recorded on the magnetic recording medium.

As per claim 2, Xuan et al. and Mikawa further disclose wherein the pattern corresponding to contents management information (Mikawa: paragraph 93; fig's. 1-7) is provided on every track (Xuan et al: col.1, 36-49; fig's. 1-7) as discussed per the motivation above.

As per claim 3, Xuan et al. further discloses a nonmagnetic substrate having a portion with pits formed on the surface thereof (col.2, 54-60; fig's. 1-7), and a magnetic layer formed over the surface of the substrate, each of the data pattern being embedded by forming a pattern of the pits on a nonmagnetic substrate and selectively magnetizing the magnetic layer at the pattern of the pits (col.3, 49-67; col.4, 1-51; fig's. 1-7).

As per claim 4, Mikawa further discloses a copy management information for managing copying of contents (paragraphs 65 & 93; fig's. 1-7) as discussed per the motivation above.

As per claim 6, Mikawa further discloses the magnetic recording medium storing the contents obtained through broadcasting or communication (paragraph 88; fig's. 1-7) on a track having the copy management information corresponding to a copying form that is permitted by a distributor of the contents or for a user of the contents (paragraphs 65; fig's. 1-7) as discussed per the motivation above.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 1 above, and further in view of Yamauchi

Art Unit: 3621

et al., U.S. patent application publication 2002/0083046. Xuan et al. discloses a magnetic recording medium as discussed above. Xuan et al. does not disclose a period management information for managing utilization period of contents. Yamauchi et al. discloses a period management information for managing utilization period of contents (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include a period management information for managing utilization period of contents such as that taught by Yamauchi et al. in order to for the recording to include time management such that the usage of the information can be controlled according the amount of time in use.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 6 above, and further in view of Mikawa, U.S. patent application publication 2002/0097645 and Ueda et al., U.S. patent application publication 2002/0131595. Xuan et al. discloses a storage type magnetic recording apparatus as discussed above. Xuan et al. does not disclose a means for encrypting output of the contents after confirming that a copying form is permitted by a definition of the copy management information on the track that stores the contents to be used. Ueda et al. discloses a means for encryption of content (abstract; fig's. 1-17). Mikawa discloses a copy management information (paragraphs 65, 93; fig's. 1-7). It would have been obvious to modify Xuan et al. to include a means for encryption of content as taught by Ueda et al. and a copy management information such as that taught by Mikawa in order to secure the contents that is to be copied on tracks included in the recording medium.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 5 above, and further in view of Mikawa, U.S. patent application publication 2002/0097645 and Yamauchi et al., U.S. patent application publication 2002/0083046. Xuan et al. discloses a storage type magnetic recording apparatus comprising a magnetic recording medium as discussed above. Xuan does not disclose storing the contents obtained through broadcasting or communication on a track having the period management information corresponding to a utilization period that is permitted by a distributor of the contents or for the user of the contents. Mikawa discloses storing the contents obtained through broadcasting or communication (paragraph 88; fig's. 1-7). Yamauchi et al. discloses a period management information corresponding to a utilization period (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include storing the contents obtained through broadcasting or communication such as that taught by Mikawa and a period management information corresponding to a utilization period such as that taught by Yamauchi et al. in order to for the information being recorded to have time management data such that this data can be recorded to the recording medium to manage utilization according to time.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360 as applied to claim 8 above, and further in view of Yamauchi et al., U.S. patent application publication 2002/0083046 and Ueda et al., U.S. patent application publication 2002/0131595. Xuan et al. discloses a storage type magnetic recording apparatus as discussed above. Xuan et al. does not disclose a means for

Art Unit: 3621

decrypting the contents after confirming that a utilization time is within a utilization period permitted by a definition of the period management information on the track that stores the contents to be used. Ueda et al. discloses a means for decryption of content (abstract; fig's. 1-17). Yamauchi et al. discloses period management information (paragraph 110; fig's. 1-15). It would have been obvious to modify Xuan et al. to include a means for decryption of content as taught by Ueda et al. and a period management information such as that taught by Yamauchi et al. in order to make the data available in a secure manner within a specified time period.

Claim 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Xuan et al., U.S. patent 6,549,360, and further in view of Mikawa, U.S. patent application publication 2002/0097645, Yamauchi et al., U.S. patent application publication 2002/0083046, Ueda et al., U.S. patent application publication 2002/0131595 and Yamakoshi et al., U.S. patent 5,600,501.

As per claims 10-12 Xuan et al. discloses providing a magnetic disk with embedded data patterns (abstract; col.2, 1-19; fig's. 1-7). Xuan et al. does not disclose copy management information for managing copying of contents and period management information for managing utilization period of contents; or

receiving and storing the encrypted information contents obtained through broadcasting or communication on a track having the copy or period management information corresponding to a copying form or a utilization period that is permitted by a distributor or permitted for user of the contents or a permanent data pattern on a disk. Yamakoshi et al. discloses a permanent data pattern on the disk (claim 1).

Art Unit: 3621

Mikawa discloses a copy management information for managing copying of contents (paragraphs 65, 93; fig's. 1-7) and storing contents obtained through communication (paragraph 88; fig's. 1-7). Yamauchi et al. discloses period management information for managing utilization period of contents (paragraph 110; fig's. 1-15). Ueda et al. discloses encryption and decryption of content (abstract, fig's. 1-17). It would have been obvious to modify Xuan et al. to include a copy management information and storing contents obtained through communication such as that taught by Mikawa and period management information such as that taught by Yamauchi et al. and encryption and decryption of content such as that taught by Ueda et al. in order to record information having to do with copy management and period management on the recording medium such that the information can be utilized in a secure manner by way of encryption and decryption to protect all parties involved.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



Art Unit: 3621

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 571-272-6879. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to (703)872-9306**


Hand delivered responses should be brought to

United States Patent and Trademark Office  
Customer Service Window

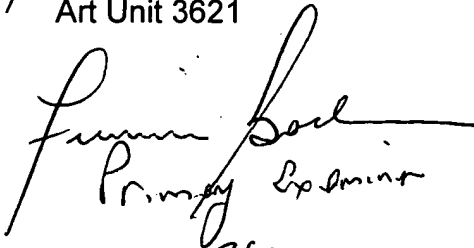
Art Unit: 3621

Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry of a general nature or relating to the status of this application  
or proceeding should be directed to the Technology Center 3600 Customer Service  
Office whose telephone number is (703) 306-5771.

  
Behrang Badii  
Patent Examiner  
Art Unit 3621

BB

  
Primary Examiner  
3621